

### **REMARKS**

The application has been amended. In particular, claims 5, 6, 9-41, 48 and 49 have been canceled. Claim 42 has been amended to include subject matter from allowed claim 49, where the components of the multiprotein complex are from *S. cerevisiae*. Claims 43 and 44 have been amended to recite that Upf2 protein (claim 43) and Upf3 protein (claim 44) are *S. cerevisiae* components. Claim 45 has been amended to include sequence identifier numbers. The abstract has been replaced to reflect the language of amended claim 42. Finally, the paragraphs beginning at page 7, line 1, page 38, line 9 and page 57, line 17 have been amended to include sequence identifier numbers.

### **Allowable Claims**

The Examiner has indicated that claim 49 would be allowable, but is objected to since it depends upon a rejected base claim.

### **Claim Objections**

Claim 45 has been objected to for not complying with sequence rules, since no sequence identifiers are recited. Claim 45 has been amended to include sequence identifier numbers.

### **Claim Rejections Under 35 U.S.C. §112, Second Paragraph**

The Examiner has rejected claims 42-48 under 35 U.S.C. §112, Second Paragraph for their recitation of the terms "Upf1", "Upf2" and "Upf3". Each of these rejections has been addressed in the amendments presented herewith. In particular, the Examiner acknowledges that the *S. cerevisiae* Upf1, Upf2 and Upf3 proteins are known in the art. Therefore, Applicants are not required to recite the entire phrase for which these abbreviations are used.

### **Claim Rejections Under 35 U.S.C. §112, First Paragraph**

### **Written Description Rejection**

The Examiner has also rejected claims 42-48 under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with the written description requirement.

Application No.: 10/652,334  
Amendment and Response dated March 30, 2005  
Reply to Office Action of February 7, 2005  
Docket No.: 1368-12 CON  
Page 8

In an effort to advance prosecution of the present application, Applicants have amended independent claim 42 to include subject matter from allowable claim 49. Therefore, Applicants respectfully request withdrawal of the written description rejection.

**Enablement Rejection**

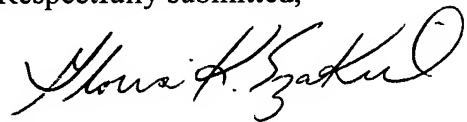
The Examiner has further rejected claims 42-48 under 35 U.S.C. § 112, first paragraph, for allegedly not being enabled.

In an effort to advance prosecution of the present application, Applicants have amended independent claim 42 to include subject matter from allowable claim 49. Therefore, Applicants respectfully request withdrawal of the enablement rejection.

**Summary**

Applicants submit that the present application is in condition for allowance. Entry of this amendment, reconsideration and favorable action are respectfully solicited. Should the Examiner have any questions regarding this Response or wish to discuss this matter in further detail, she is invited to contact Applicants' undersigned agent at the telephone number set forth below.

Respectfully submitted,



Gloria K. Szakiel  
Reg. No. 45,149  
Agent for Applicant

HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, NY 11791  
(973) 331-1700